

**SENATE BILL 471 (LRB -3593)**

An Act to repeal 185.981 (4t), 185.981 (6) and 185.982 (3); and to amend 71.26 (1) (a), 71.45 (1) (a), 71.45 (5), 146.81 (1) (k), 146.997 (1) (d) 17., 155.01 (7), 185.09, 185.981 (title), 185.981 (1), 185.981 (2), 185.981 (3), 185.981 (4), 185.981 (5), 185.981 (7), 185.981 (8), 185.981 (9), 185.982 (1), 185.982 (2), 185.983 (1) (intro.), 185.983 (1) (a), 185.983 (1m), 185.983 (2), 185.985, 252.14 (1) (ar) 12., 254.11 (13), 632.86 (1) (a) and 655.002 (1) (f) of the statutes; relating to: health care plans operated by cooperative associations.

**2010**

- 01-22. S. Introduced by Senators **Erpenbach, Hansen, Wirsch, Vinehout, Taylor, Kreitlow, Risser and Cowles**; cosponsored by Representatives **Richards, Vruwink, Benedict, Turner, Brooks, Pope-Roberts, Ripp, Tauchen and Smith.**
- 01-22. S. Read first time and referred to committee on Health, Health Insurance, Privacy, Property Tax Relief, and Revenue ..... 500
- 02-02. S. Senate amendment 1 offered by Senator Erpenbach (**LRB a1345**) ..... 533
- 02-11. S. Public hearing held.
- 02-17. S. Executive action taken.
- 02-18. S. Report adoption of Senate Amendment 1 recommended by committee on Health, Health Insurance, Privacy, Property Tax Relief, and Revenue, Ayes 7, Noes 0 ..... 571
- 02-18. S. Report passage as amended recommended by committee on Health, Health Insurance, Privacy, Property Tax Relief, and Revenue, Ayes 7, Noes 0 ..... 571
- 02-18. S. Available for scheduling.
- 02-23. S. Placed on calendar 2-25-2010 pursuant to Senate Rule 18(1) ..... 0
- 02-25. S. Read a second time.
- 02-25. S. Senate amendment 1 to Senate amendment 1 offered by Senator Erpenbach (**LRB a1680**).
- 02-25. S. **Senate amendment 1 to Senate amendment 1 adopted.**
- 02-25. S. **Senate amendment 1 adopted.**
- 02-25. S. Senate amendment 2 offered by Senator Erpenbach (**LRB a1678**).
- 02-25. S. **Senate amendment 2 adopted.**
- 02-25. S. Ordered to a third reading.
- 02-25. S. Rules suspended.
- 02-25. S. Read a third time and **passed.**
- 02-25. S. Ordered immediately messaged.
- 02-25. A. Received from Senate ..... 701
- 02-25. A. Read ..... 701
- 02-25. A. Rules suspended and taken up ..... 701
- 02-25. A. Read a second time ..... 701
- 02-25. A. Ordered to a third reading ..... 701
- 02-25. A. Rules suspended ..... 701
- 02-25. A. Read a third time and **concurred in** ..... 701
- 02-25. A. Ordered immediately messaged ..... 701
- 02-26. S. Received from Assembly concurred in.

2009

ENROLLED BILL

09en S B- 471

ADOPTED DOCUMENTS:

☒ Orig    ☐ Engr    ☐ SubAmdt

09-3593/2

Amendments to above (if none, write "NONE"): SA1 - a 1345/2

SA2 - a 1678/1

SA1 to SA1 - a 1680/1

Corrections - show date (if none, write "NONE"): None

Topic

Rel

2-26-10

Date

JR Miller

Enrolling Drafter



State of Wisconsin  
2009-2010 LEGISLATURE

**CORRECTIONS IN:**

**2009 SENATE BILL 471**

Prepared by the Legislative Reference Bureau  
(March 4, 2010)

In enrolling, the following correction was made:

Items 7 and 8 of senate amendment 2 were not given effect because item 4 of senate amendment 1 deleted that material.

(END)



State of Wisconsin  
2009 – 2010 LEGISLATURE

LRB-3593/2  
PJK:nwn:md

## 2009 SENATE BILL 471

January 22, 2010 – Introduced by Senators ERPENBACH, HANSEN, WIRCH, VINEHOUT, TAYLOR, KREITLOW, RISSE and COWLES, cosponsored by Representatives RICHARDS, VRUWINK, BENEDICT, TURNER, BROOKS, POPE-ROBERTS, RIPP, TAUCHEN and SMITH. Referred to Committee on Health, Health Insurance, Privacy, Property Tax Relief, and Revenue.

1     **AN ACT to repeal** 185.981 (4t), 185.981 (6) and 185.982 (3); and **to amend** 71.26  
2           (1) (a), 71.45 (1) (a), 71.45 (5), 146.81 (1) (k), 146.997 (1) (d) 17., 155.01 (7),  
3           185.09, 185.981 (title), 185.981 (1), 185.981 (2), 185.981 (3), 185.981 (4), 185.981  
4           (5), 185.981 (7), 185.981 (8), 185.981 (9), 185.982 (1), 185.982 (2), 185.983 (1)  
5           (intro.), 185.983 (1) (a), 185.983 (1m), 185.983 (2), 185.985, 252.14 (1) (ar) 12.,  
6           254.11 (13), 632.86 (1) (a) and 655.002 (1) (f) of the statutes; **relating to:** health  
7           care plans operated by cooperative associations.

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### ***Analysis by the Legislative Reference Bureau***

Under current law, associations may be organized on a cooperative nonprofit basis (cooperative associations) to establish and operate sickness care plans for their members through contracts with providers. This bill makes various changes to those provisions, including the following:

1. The bill changes the name of the plans that cooperative associations may establish and operate from "sickness care plans" to "health care plans."
2. The bill specifies that establishing and maintaining these plans may be the primary, as opposed to exclusive, purpose of the cooperative association.
3. Current law provides that cooperative associations may enter into contracts for services with physicians and surgeons, optometrists, chiropractors, and dentists. The bill allows contracts with other providers, too.

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4. The bill adds that nothing in the provisions pertaining to the purpose of the cooperative association as being primarily to establish and operate a health care plan precludes a cooperative association from owning an interest in other entities for improving member services or for investment.

5. Under current law, a cooperative association may not spend more than 5 percent of capital stock or membership fees on promotional expenses. The bill provides that this limit does not apply to a cooperative association operating a health care plan.

6. Current law prohibits a contract by or on behalf of a cooperative association from providing for the payment of cash or other material benefit to a subscriber or the subscriber's estate on account of death, illness, or injury. The bill eliminates this provision.

7. Under current law, a cooperative association may stipulate in a plan that it will pay a nonparticipating physician and surgeon, optometrist, chiropractor, or dentist outside of the cooperative association's normal territory for care rendered to a member or a member's covered dependent who needs the care when he or she is outside the cooperative association's territory in which the plan benefits are normally available. Under the bill, a cooperative association may stipulate in its plans that it will pay a nonparticipating physician and surgeon, optometrist, chiropractor, dentist, or other provider for health care rendered to a covered person, without limitation to being outside the association's normal territory.

8. Current law provides that a cooperative association may provide benefits only to its members. The bill allows a cooperative association to offer its services to nonmembers, too.

9. Finally, the bill makes various technical changes, such as conforming the language to current statutory drafting practice and eliminating redundant provisions.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1       **SECTION 1.** 71.26 (1) (a) of the statutes is amended to read:

2       71.26 (1) (a) *Certain corporations.* Income of corporations organized under ch.  
3       185, except income of a cooperative ~~sickness~~ health care association organized under  
4       s. 185.981, or of a service insurance corporation organized under ch. 613, that is  
5       derived from a health maintenance organization as defined in s. 609.01 (2) or a  
6       limited service health organization as defined in s. 609.01 (3), or operating under  
7       subch. I of ch. 616 which are bona fide cooperatives operated without pecuniary profit

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1 to any shareholder or member, or operated on a cooperative plan pursuant to which  
2 they determine and distribute their proceeds in substantial compliance with s.  
3 185.45, and the income, except the unrelated business taxable income as defined in  
4 section 512 of the internal revenue code and except income that is derived from a  
5 health maintenance organization as defined in s. 609.01 (2) or a limited service  
6 health organization as defined in s. 609.01 (3), of all religious, scientific, educational,  
7 benevolent or other corporations or associations of individuals not organized or  
8 conducted for pecuniary profit. This paragraph does not apply to the income of  
9 savings banks, mutual loan corporations or savings and loan associations. This  
10 paragraph does not apply to income that is realized from the sale of or purchase and  
11 subsequent sale or redemption of lottery prizes if the winning tickets were originally  
12 bought in this state. This paragraph applies to the income of credit unions except  
13 to the income of any credit union that is derived from public deposits for any taxable  
14 year in which the credit union is approved as a public depository under ch. 34 and  
15 acts as a depository of state or local funds under s. 186.113 (20). For purposes of this  
16 paragraph, the income of a credit union that is derived from public deposits is the  
17 product of the credit union's gross annual income for the taxable year multiplied by  
18 a fraction, the numerator of which is the average monthly balance of public deposits  
19 in the credit union during the taxable year, and the denominator of which is the  
20 average monthly balance of all deposits in the credit union during the taxable year.

21 **SECTION 2.** 71.45 (1) (a) of the statutes is amended to read:

22 71.45 (1) (a) Income of insurers exempt from federal income taxation pursuant  
23 to section 501 (c) (15) of the internal revenue code, town mutuals organized under or  
24 subject to ch. 612, foreign insurers, and domestic insurers engaged exclusively in life  
25 insurance business, domestic insurers insuring against financial loss by reason of

**SENATE BILL 471****SECTION 2**

1 nonpayment of principal, interest and other sums agreed to be paid under the terms  
2 of any note or bond or other evidence of indebtedness secured by a mortgage, deed  
3 of trust or other instrument constituting a lien or charge on real estate and  
4 corporations organized under ch. 185, but not including income of cooperative  
5 ~~sickness~~ health care associations organized under s. 185.981, or of a service  
6 insurance corporation organized under ch. 613, that is derived from a health  
7 maintenance organization as defined in s. 609.01 (2) or a limited service health  
8 organization as defined in s. 609.01 (3), or operating under subch. I of ch. 616 which  
9 are bona fide cooperatives operated without pecuniary profit to any shareholder or  
10 member, or operated on a cooperative plan pursuant to which they determine and  
11 distribute their proceeds in substantial compliance with s. 185.45. This paragraph  
12 does not apply to income that is realized from the sale of or purchase and subsequent  
13 sale or redemption of lottery prizes if the winning tickets were originally bought in  
14 this state.

15 **SECTION 3.** 71.45 (5) of the statutes is amended to read:

16 71.45 (5) EXCEPTIONS. The net income of a cooperative ~~sickness~~ health care  
17 association organized under s. 185.981, or of a service insurance corporation  
18 organized under ch. 613, that is derived from a health maintenance organization, as  
19 defined in s. 609.01 (2), or a limited service health organization, as defined in s.  
20 609.01 (3), is the net income that would be determined if the cooperative ~~sickness~~  
21 health care association or service insurance corporation were subject to federal  
22 income taxation and as if that income were that of an insurance company.

23 **SECTION 4.** 146.81 (1) (k) of the statutes is amended to read:

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1           146.81 (1) (k) ~~An operational~~ A cooperative sickness health care plan  
2           association organized under ~~ss. s. 185.981 to 185.985~~ that directly provides services  
3           through salaried employees in its own facility.

4           **SECTION 5.** 146.997 (1) (d) 17. of the statutes is amended to read:

5           146.997 (1) (d) 17. ~~An operational~~ A cooperative sickness health care plan  
6           association organized under ~~ss. s. 185.981 to 185.985~~ that directly provides services  
7           through salaried employees in its own facility.

8           **SECTION 6.** 155.01 (7) of the statutes is amended to read:

9           155.01 (7) “Health care provider” means a nurse licensed or permitted under  
10          ch. 441, a chiropractor licensed under ch. 446, a dentist licensed under ch. 447, a  
11          physician, physician assistant, perfusionist, podiatrist, physical therapist, physical  
12          therapist assistant, occupational therapist, or occupational therapy assistant  
13          licensed under ch. 448, a person practicing Christian Science treatment, an  
14          optometrist licensed under ch. 449, a psychologist licensed under ch. 455, a  
15          partnership thereof, a corporation or limited liability company thereof that provides  
16          health care services, ~~an operational~~ a cooperative sickness health care plan  
17          association organized under ~~ss. s. 185.981 to 185.985~~ that directly provides services  
18          through salaried employees in its own facility, or a home health agency, as defined  
19          in s. 50.49 (1) (a).

20          **SECTION 7.** 185.09 of the statutes is amended to read:

21          **185.09 Promotion expense; limitation.** No cooperative funds may be used,  
22          nor any stock issued, in payment of any promotion expenses in excess of 5 per cent  
23          of the paid-up capital stock or membership fees. This section does not apply to a  
24          cooperative association organized under s. 185.981.

25          **SECTION 8.** 185.981 (title) of the statutes is amended to read:



## SENATE BILL 471

## SECTION 8

INS. SA 2-1 ✓

1 **185.981** (title) **Cooperative sickness health care.**

2 **SECTION 9.** 185.981 (1) of the statutes is amended to read:

3 185.981 (1) Cooperative associations may be organized under this chapter  
4 without capital stock, exclusively primarily to establish and operate in the state or  
5 in any county or counties ~~therein a~~ in the state nonprofit ~~plan or plans or programs~~  
6 for sickness health care, including hospital care, for their members ~~and~~ their  
7 members' dependents, ~~and others~~ SA 1-2 ✓ through contracts with physicians, medical  
8 societies, chiropractors, optometrists, dentists, dental societies, hospitals, and  
9 others.

INS. SA 1-1 ✓

INS. SA 2-2 ✓

INS. SA 2-3 ✓

10 **SECTION 10.** 185.981 (2) of the statutes is amended to read:

11 185.981 (2) ~~Such associations~~ A cooperative association organized under this  
12 section shall operate only on a cooperative nonprofit basis and for the primary  
13 purpose of establishing, maintaining, and operating a voluntary nonprofit health,  
14 dental, or vision care plan or plans, or additional programs SA 1-3 ✓ or for constructing,  
15 operating, and maintaining nonprofit hospitals or other facilities whereby sickness  
16 health care, including hospital, dental, or vision care, is provided at the expense of  
17 ~~such association, to its members or both, and to such other~~ persons or groups of  
18 persons as ~~shall~~ who become subscribers to ~~such plan, the plans, subject to s. 185.982~~  
19 (2), under contracts which will entitle each such subscriber to definite that provide  
20 access to medical, surgical, chiropractic, vision, dental, or hospital care, other health  
21 care services, appliances, and supplies, by physicians and surgeons licensed and  
22 registered under ch. 448, optometrists licensed under ch. 449, chiropractors licensed  
23 under ch. 446 and, dentists licensed under ch. 447, and other health care providers  
24 in their offices, in hospitals, in other facilities, and in the home. Nothing in this  
25 subsection precludes a cooperative association organized under this section from

INS. SA 2-4 ✓

## SENATE BILL 471

1 owning an interest in other entities for enhancing or improving member services or  
2 for investment or other purposes, as long as the association's primary purpose  
3 remains as provided in this subsection.

INS. SA 2-5 ✓

4 SECTION 11. 185.981 (3) of the statutes is amended to read:

5 185.981 (3) No cooperative association organized primarily for the purposes  
6 provided in ss. 185.981 to 185.983 shall be prevented from contracting with any  
7 hospital in this state for the rendition of such hospital care as is included within such  
8 a plan the cooperative association's plans because such the hospital participates in  
9 a plan of any other such plan cooperative association, or in a plan organized and  
10 operated under ss. 148.03 and 613.80. No hospital may discriminate against any  
11 physician and surgeon, chiropractor, or dentist with respect to the use of such the  
12 hospital's facilities by reason of his or her participation in a sickness health care plan  
13 of a cooperative.

INS.  
SA2-6 ✓

14 SECTION 12. 185.981 (4) of the statutes is amended to read:

INS SA 2-7 ✓

SA1-4 ✓

15 185.981 (4) No contract by or on behalf of any such A cooperative association  
16 shall provide for the payment of any cash, indemnity or other material benefit by that  
17 association to the subscriber or the subscriber's estate on account of death, illness or  
18 injury, nor be in any way related to the payment of any such benefit by any other  
19 agency, but any such association may stipulate in its plan plans that it will pay any  
20 nonparticipating physician and surgeon, optometrist, chiropractor, dentist or,  
21 hospital outside of its normal territory for sickness or, or other provider for hospital  
22 or other health care rendered to any covered member or a member's covered  
23 dependent person who is in need of the a plan's benefits of such plan when he or she  
24 is outside of the territory of such association in which the benefits of such plan are

INS  
SA2-8 ✓

## SENATE BILL 471

✓  
INSERT  
SA1-4

SA 1-4 ✓  
normally available. Any such plan plans may prescribe monetary limitations with respect to such extraterritorial the benefits.

SECTION 13. 185.981 (4t) of the statutes, as affected by 2009 Wisconsin Act 28, is repealed.

SECTION 14. 185.981 (5) of the statutes is amended to read:

185.981 (5) Every such cooperative association organized under this section is a charitable and benevolent corporation.

SECTION 15. 185.981 (6) of the statutes is repealed.

SECTION 16. 185.981 (7) of the statutes is amended to read:

185.981 (7) Notwithstanding sub. (4) and ~~s. ss.~~ 185.982 (1) and 185.983 (1), a ~~sickness~~ health care plan that is operated by a cooperative association and that qualifies as a health maintenance organization, as defined in s. 609.01 (2), is subject to s. 609.655.

SECTION 17. 185.981 (8) of the statutes is amended to read:

185.981 (8) ~~A sickness care plan operated by a cooperative association is subject to s. 632.895 (8).~~ Coverage by a health care plan operated by a cooperative association that qualifies as a health maintenance organization, as defined in s. 609.01 (2), of mammograms under s. 632.895 (8) may be subject to any requirements that the ~~sickness~~ health care plan imposes under s. 609.05 (2) and (3) on the coverage of other health care services obtained by members and their dependents.

SECTION 18. 185.981 (9) of the statutes is amended to read:

185.981 (9) ~~Every cooperative sickness care association organized under this section that provides coverage for dependent children of members shall provide coverage for adopted children and children placed for adoption, as required under s. 632.896.~~ Coverage by a health care plan operated by a cooperative association that

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1 qualifies as a health maintenance organization, as defined in s. 609.01 (2), of health  
2 care services obtained by adopted children and children placed for adoption may be  
3 subject to any requirements that the ~~sickness~~ health care plan imposes under s.  
4 609.05 (2) and (3) on the coverage of health care services obtained by other members  
5 and their dependents.

INS, SA 2-9 ✓

6 SECTION 19. 185.982 (1) of the statutes is amended to read:

7 185.982 (1) No ~~sickness~~ health care plan or contract issued thereunder by such  
8 a cooperative association shall interfere with the manner or mode of the practice of  
9 medicine, optometry, chiropractic, or dentistry, the manner or mode of providing  
10 wellness or other services, the relationship of physician, chiropractor, optometrist or  
11 dentist, or other provider and patient, nor the responsibility of physician,  
12 chiropractor, optometrist or, dentist, or other provider to patient. A plan Plans may

INS,  
SA 2-10 ✓INS,  
SA 2-11 ✓

INS, SA 2-12 ✓

INS, SA 2-13 ✓

13 require persons covered to utilize health care providers designated by the  
14 cooperative association. The cooperative association may provide health care  
15 services directly through providers who are employees of the cooperative association  
16 or through agreements with individual providers or groups of providers organized  
17 on a group practice or individual practice basis. ~~In making such agreements, no plan~~  
18 ~~may refuse to provide coverage for vision care services or procedures provided by an~~  
19 ~~optometrist licensed under ch. 449 within the scope of the practice of optometry, as~~  
20 ~~defined in s. 449.01 (1), if the plan provides coverage for the same services or~~  
21 ~~procedures when provided by another health care provider.~~

22 SECTION 20. 185.982 (2) of the statutes is amended to read:

23 185.982 (2) Any cooperative association operating a voluntary ~~sickness~~ health  
24 care ~~plan~~ plans under the provisions of this chapter may pay physicians and  
25 surgeons, optometrists, chiropractors ~~or, dentists,~~ or other providers on a salary, per

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## SECTION 20

1 person, or fee-for-service basis to provide ~~sickness~~ health care to members of such  
2 the association. Every cooperative association ~~shall contract only with its own~~  
3 ~~members for the benefits of any plan which it operates, but any~~ may offer its health  
4 care services to nonmembers. Any cooperative association ~~which~~ that operates a  
5 hospital may make the hospital's facilities ~~thereof~~ available to nonmembers and to  
6 nonparticipating physicians, optometrists ~~or~~, dentists, or other providers.

7 SECTION 21. 185.982 (3) of the statutes is repealed.

8 SECTION 22. 185.983 (1) (intro.) of the statutes, as affected by 2009 Wisconsin  
9 Act 28, is amended to read:

10 185.983 (1) (intro.) Every ~~such~~ voluntary nonprofit ~~sickness~~ health care plan  
11 operated by a cooperative association organized under s. 185.981 shall be exempt  
12 from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41, 601.42,  
13 601.43, 601.44, 601.45, ~~611.67, 619.04~~ 628.34 (10), 631.17, 631.89, 631.93, 631.95,  
14 632.72 (2), 632.745 to 632.749, 632.775, 632.79, 632.795, 632.85, 632.853, 632.855,  
15 632.87 (2), (2m), (3), (4), (5), and (6), 632.885, 632.895 (5) and ~~(9)~~ (8) to (17), 632.896,  
16 and 632.897 (10) and chs. 609, 630, 635, 645, and 646, but the sponsoring association  
17 shall:

18 SECTION 23. 185.983 (1) (a) of the statutes is amended to read:

19 185.983 (1) (a) File with the commissioner of insurance a declaration defining  
20 the organization and operation of the plan, all printed literature, and specimen  
21 copies of all proposed contracts of insurance with persons covered and with  
22 participating physicians ~~and~~, hospitals, and other providers, including all  
23 amendments thereto. The form of all such contracts and amendments shall be  
24 subject to approval by the commissioner of insurance but the commissioner may not

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1 withhold approval if the form of ~~such~~ the contracts or changes ~~therein~~ in the  
2 contracts comply with the provisions of ss. 185.981 to 185.985.

3 **SECTION 24.** 185.983 (1m) of the statutes is amended to read:

4 185.983 (1m) In addition to ss. 601.04, 601.31, 632.79, and 632.895 (5), the  
5 commissioner of insurance may by rule subject a medicare supplement policy, as  
6 defined in s. 600.03 (28r), a medicare replacement policy, as defined in s. 600.03 (28p),  
7 or a long-term care insurance policy, as defined in s. 600.03 (28g), that is sold by a  
8 ~~voluntary nonprofit sickness~~ cooperative health care ~~plan~~ association organized  
9 under s. 185.981 to other provisions of chs. 600 to 646, except that the commissioner  
10 may not subject a medicare supplement policy, a medicare replacement policy, or a  
11 long-term care insurance policy to s. 632.895 (8).

12 **SECTION 25.** 185.983 (2) of the statutes is amended to read:

13 185.983 (2) Every ~~such~~ voluntary nonprofit health care plan operated by a  
14 cooperative association organized under s. 185.981 shall make provision for a  
15 minimum of one physician and surgeon, or dentist to each 2,000 persons covered for  
16 medical or dental care and a minimum of 6 hospital beds for each 2,000 persons  
17 covered for hospital care.

18 **SECTION 26.** 185.985 of the statutes is amended to read:

19 **185.985 Inconsistent provisions of the statutes.** ~~Sickness~~ Health care or  
20 hospital plans operated by cooperative associations organized under this chapter  
21 shall be operated exclusively under the provisions of ss. 185.981 to 185.985. Other  
22 provisions of the statutes that are inconsistent with any of ~~such~~ those provisions  
23 shall not be applicable to cooperative associations or ~~sickness~~ health care plans  
24 operated by cooperative associations ~~pursuant to~~ under this chapter.

25 **SECTION 27.** 252.14 (1) (ar) 12. of the statutes is amended to read:

**SENATE BILL 471****SECTION 27**

1           252.14 (1) (ar) 12. ~~An operational~~ A cooperative sickness health care plan  
2 association organized under ~~ss. s. 185.981 to 185.985~~ that directly provides services  
3 through salaried employees in its own facility.

4           **SECTION 28.** 254.11 (13) of the statutes is amended to read:

5           254.11 (13) “Third-party payer” means a disability insurance policy that is  
6 required to provide coverage for a blood lead test under s. 632.895 (10) (a); a health  
7 maintenance organization or preferred provider plan under ch. 609; a health care  
8 coverage plan offered by the state under s. 40.51 (6); a self-insured health plan  
9 offered by a city or village under s. 66.0137 (4), a political subdivision under s.  
10 66.0137 (4m), a town under s. 60.23 (25), a county under s. 59.52 (11) (c), or a school  
11 district under s. 120.13 (2) (b); or a ~~sickness~~ sickness health care plan operated by a  
12 cooperative association organized under s. 185.981.

13           **SECTION 29.** 632.86 (1) (a) of the statutes is amended to read:

14           632.86 (1) (a) “Disability insurance policy” has the meaning given in s. 632.895  
15 (1) (a), except that the term does not include coverage under a health maintenance  
16 organization, as defined in s. 609.01 (2), a limited service health organization, as  
17 defined in s. 609.01 (3), a preferred provider plan, as defined in s. 609.01 (4), or a  
18 ~~sickness~~ sickness health care plan operated by a cooperative association organized under ~~ss.~~  
19 s. 185.981 to 185.985.

20           **SECTION 30.** 655.002 (1) (f) of the statutes is amended to read:

21           655.002 (1) (f) A cooperative ~~sickness~~ sickness health care association organized under  
22 ~~ss. s. 185.981 to 185.985~~ that operates ~~a nonprofit sickness health~~ care plan plans  
23 in this state and that directly provides services through salaried employees in its own  
24 facility.

25           **SECTION 31. Effective date.**

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1           (1) This act takes effect on January 1, 2010, or on the day after publication,  
2           whichever is later.

3 (END)





State of Wisconsin  
2009 - 2010 LEGISLATURE

LRBa1345/2  
PJK:nwn:jf

SENATE AMENDMENT 1,  
TO 2009 SENATE BILL 471

February 2, 2010 - Offered by Senator ERPENBACH.

1 At the locations indicated, amend the bill as follows:

2 ✓ ✓ 1. Page 6, line 6: delete "~~and~~" and substitute "and".

3 ✓ ✓ 2. Page 6, line 7: delete "~~, and others~~".

4 ✓ ✓ 3. Page 6, line 14: delete "plans, or additional programs." and substitute  
5 "plans.".

6 ✓ ✓ 4. Page 7, line 14: delete the material beginning with that line and ending with  
7 page 8, line 2, and substitute:

8 (8) "SECTION 12c. 185.981 (4) of the statutes is renumbered 185.981 (4) (a) and  
9 amended to read:

10 185.981 (4) (a) No Except as provided in par. (b), no contract by or on behalf of  
11 any such cooperative association shall provide for the payment of any cash,  
12 indemnity, or other material benefit by that association to the subscriber or the  
13 subscriber's estate on account of death, illness, or injury, ~~nor be in any way related~~

SAI-1

SAI-3

SAI-4

INS. SAI-SAI-1 ✓

SAI-4

1 to the payment of any such benefit by any other agency, but any such association may  
2 stipulate in its ~~plan~~ plans that it will pay any nonparticipating physician and  
3 surgeon, optometrist, chiropractor, ~~dentist or~~ INSERT SAI-5AI-2 ✓ hospital outside of its normal territory  
4 for sickness or, or other provider for hospital or other health care rendered to any  
5 covered member or a member's covered dependent person who is in need of the a  
6 plan's benefits of such plan when he or she is outside of the territory of such  
7 association in which the benefits of such plan are normally available. Any such plan,  
8 The plans may prescribe monetary limitations with respect to such extraterritorial  
9 the benefits.

10 SECTION 12f. 185.981 (4) (b) of the statutes is created to read:

11 185.981 (4) (b) A cooperative association may make a payment in cash,  
12 indemnity, or other material benefit for a purpose that is incidental to its plans,  
13 including for the purpose of administering coordination of benefits."

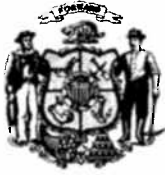
SAI-5

14 ✓✓ 5. Page 10, line 13: delete "611.67, 619.04," and substitute "611.26, 611.67,  
15 619.04, 623.11, 623.12."

16 ✓✓ 6. Page 10, line 16: after "609," insert "620."

17 (END)

SAI-6



State of Wisconsin  
2009 – 2010 LEGISLATURE

LRBa1680/1  
PJK:cjs:md

SENATE AMENDMENT 1,  
TO SENATE AMENDMENT 1,  
TO 2009 SENATE BILL 471

February 25, 2010 – Offered by Senator ERPENBACH.

1 At the locations indicated, amend the amendment as follows:

2 ✓✓ 1. Page 1, line 8: after "statutes" insert ", as affected by 2009 Wisconsin Act

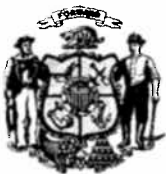
3 113."

4 ✓✓ 2. Page 2, line 3: delete "dentist or," and substitute "dentist, podiatrist, or".

5 (END)

SAI-SAI-1

SAI-SAI-2



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRBa1678/1  
PJK:jld:ph

SENATE AMENDMENT 2,  
TO 2009 SENATE BILL 471

February 25, 2010 - Offered by Senator ERPENBACH.

1 At the locations indicated, amend the bill as follows:

2 ✓✓ 1. Page 6, line 2: after "statutes" insert ", as affected by 2009 Wisconsin Act  
3 113,". SA2-1 ✓

4 ✓✓ 2. Page 6, line 8: delete "hospitals, and" and substitute "hospitals, podiatrists,  
5 and". SA2-2

6 ✓✓ 3. Page 6, line 10: after "statutes" insert ", as affected by 2009 Wisconsin Act  
7 113,". SA2-3

8 ✓✓ 4. Page 6, line 22: after "448," insert "podiatrists licensed under ch. 448". SA2-4

9 ✓✓ 5. Page 7, line 4: after "statutes" insert ", as affected by 2009 Wisconsin Act  
10 113,". SA2-5

11 ✓✓ 6. Page 7, line 11: delete "chiropractor, or dentist" and substitute  
12 "chiropractor, dentist, or podiatrist". SA2-6

SA2-7

1 7. Page 7, line 14: after "statutes" insert ", as affected by 2009 Wisconsin Act  
2 113,".

SA2-8

3 8. Page 7, line 20: delete "dentist or," and substitute "dentist, podiatrist, or".

4 ✓ 9. Page 9, line 6: after "statutes" insert ", as affected by 2009 Wisconsin Act  
5 113,".

SA2-9

6 ✓✓ 10. Page 9, line 9: delete "chiropractic, or dentistry," and substitute  
7 "chiropractic, dentistry, or podiatry,".

SA2-10

SA2-11

8 ✓✓ 11. Page 9, line 10: delete "optometrist or," and substitute "optometrist,".

9 ✓✓ 12. Page 9, line 11: after "dentist" insert ", or podiatrist".

SA2-12 ✓

10 ✓✓ 13. Page 9, line 12: delete "or, dentist" and substitute ", dentist, or podiatrist".

11 (END)

SA2-13

Note to Editor:

items 7. and 8. not given effect.

SRM

## STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

LRB - 3593 / ~~1~~ 2

PJK &amp; SRM

CCC

to

SB - 471

In enrolling, the following correction  
was made:

Items 7 and 8 of senate amendment 2  
were not given effect because item 4  
of senate amendment 1 deleted that  
material.

&lt;END&gt;

cjs



State of Wisconsin  
2009-2010 LEGISLATURE

**CORRECTIONS IN:**

**2009 SENATE BILL 471**

Prepared by the Legislative Reference Bureau  
(March 4, 2010)

In enrolling, the following correction was made:

Items 7 and 8 of senate amendment 2 were not given effect because item 4 of senate amendment 1 deleted that material.

(END)